

AMENDED IN SENATE APRIL 26, 2012

AMENDED IN SENATE APRIL 16, 2012

SENATE BILL

No. 1432

Introduced by Senator Steinberg

February 24, 2012

An act to amend Section 10601.2 of the Welfare and Institutions Code, relating to child and family welfare.

LEGISLATIVE COUNSEL'S DIGEST

SB 1432, as amended, Steinberg. Child and family welfare.

Existing law requires the State Department of Social Services to establish the California Child and Family Service Review System, in order to review all county child welfare systems, including child protective services, foster care, adoption, family preservation, family support, and independent living. Existing law requires, by October 1, 2002, the California Health and Human Services Agency to convene a workgroup comprised of specified representatives to establish a workplan by which child and family service reviews are conducted pursuant to these provisions.

This bill would provide that representatives of the State Department of Mental Health and the Department of Child Support Services are no longer required to participate in the workgroup. This bill would require, by ~~March~~ January 1, 2013, that the workgroup reconvene, and, by April 1, 2013, that the workgroup determine whether additional outcome indicators, additional analysis of existing outcome indicators, or both, are necessary to determine the impact, if any, of the realignment of child welfare programs and services on child safety and well-being and develop those outcome indicators and analyses for inclusion in the

workplan, if necessary. The bill would require the workgroup would be required to consider specified outcome indicators.

Existing law requires the department to provide specified information relating to child and family service reviews to the Assembly and Senate Budget Committees *Committee on Budget, the Senate Committee on Budget and Fiscal Review*, and appropriate legislative policy committees annually, beginning with the 2002–03 fiscal year.

This bill would require that this information include the impact, if any, of the realignment of child welfare programs and services on child safety and well-being, as specified.

Existing law requires, commencing January 1, 2004, that the department commence individual child and family service reviews of California counties. Existing law requires that county child welfare systems that do not meet certain criteria receive technical assistance, as specified.

This bill would require the department to initiate one or more specified compliance actions if a county child welfare system, after receiving this technical assistance for a specified period of time, does not meet certain criteria.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 10601.2 of the Welfare and Institutions
- 2 Code is amended to read:
- 3 10601.2. (a) The State Department of Social Services shall
- 4 establish, by April 1, 2003, the California Child and Family Service
- 5 Review System, in order to review all county child welfare systems.
- 6 These reviews shall cover child protective services, foster care,
- 7 adoption, family preservation, family support, and independent
- 8 living.
- 9 (b) Child and family service reviews shall maximize compliance
- 10 with the federal regulations for the receipt of money from Subtitle
- 11 E (commencing with Section 470) of Title IV of the federal Social
- 12 Security Act (42 U.S.C. Sec. 670 ~~and following~~) *et seq.*) and ensure
- 13 compliance with state plan requirements set forth in Subtitle B
- 14 (commencing with Section 421) of Title IV of the federal Social
- 15 Security Act (42 U.S.C. Sec. 621 ~~and following~~) *et seq.*).

(c) (1) By October 1, 2002, the California Health and Human Services Agency shall convene a workgroup comprised of representatives of the Judicial Council, the State Department of Social Services, the State Department of Health *Care* Services, ~~the State Department of Mental Health~~, the State Department of Education, ~~the Department of Child Support Services~~, the State Department of Justice, any other state departments or agencies the California Health and Human Services Agency deems necessary, the County Welfare Directors Association, the California State Association of Counties, the Chief Probation Officers of California, the California Youth Connection, and representatives of California tribes, interested child advocacy organizations, researchers, and foster parent organizations. The workgroup shall establish a workplan by which child and family service reviews shall be conducted pursuant to this section, including a process for qualitative peer reviews of case information.

(2) At a minimum, in establishing the workplan, the workgroup shall consider any existing federal program improvement plans entered into by the state pursuant to federal regulations, the outcome indicators to be measured, compliance thresholds for each indicator, timelines for implementation, county review cycles, uniform processes, procedures, and review instruments to be used, a corrective action process, and any funding or staffing increases needed to implement the requirements of this section. The agency shall broadly consider collaboration with all entities to allow the adequate exchange of information and coordination of efforts to improve outcomes for foster youth and families.

(d) (1) The California Child and Family Service Review System outcome indicators shall be consistent with the federal child and family service review measures and standards for child and family outcomes and system factors authorized by Subtitle B (commencing with Section 421) and Subtitle E (commencing with Section 470) of Title IV of the federal Social Security Act and the regulations adopted pursuant to those provisions (Parts 1355 to 1357, inclusive, of Title 45 of the Code of Federal Regulations).

(2) During the first review cycle pursuant to this section, each county shall be reviewed according to the outcome indicators established for the California Child and Family Service Review System.

(3) For subsequent reviews, the workgroup shall consider whether to establish additional outcome indicators that support the federal outcomes and any program improvement plan, and promote good health, mental health, behavioral, educational, and other relevant outcomes for children and families in California's child welfare services system.

(4) By ~~March 1~~ January 15, 2013, the workgroup shall ~~reconvene and, by April 1, 2013, shall~~ determine whether additional outcome indicators, additional analysis of existing outcome indicators, or both, are necessary to determine the impact, if any, of the realignment of child welfare programs and services on child safety and well-being *and shall develop those indicators and analyses for inclusion in the California Child and Family Service Review System workplan, if necessary.* The workgroup shall specifically consider outcome indicators related to the incidence of child abuse and neglect ~~and, the effectiveness of community-based child abuse prevention and early intervention efforts, including, but not limited to, all of the following: and any changes to outcomes that may be the result of realignment of child welfare programs and services.~~

~~(A) Nonaccidental injuries to children requiring medical care.~~

~~(B) Infant mortality.~~

~~(C) Rates of birth of low-birthweight infants.~~

~~(D) Rates of birth to mothers who received no prenatal care.~~

~~(E) Rates of birth to mothers under 18 years of age.~~

(e) The State Department of Social Services shall identify and promote the replication of best practices in child welfare service delivery to achieve the measurable outcomes established pursuant to subdivision (d).

(f) The State Department of Social Services shall provide information to the Assembly ~~and Senate Budget Committees~~ *Committee on Budget, the Senate Committee on Budget and Fiscal Review*, and appropriate legislative policy committees annually, beginning with the 2002–03 fiscal year, on all of the following:

(1) The department's progress in planning for the federal child and family service review to be conducted by the United States Department of Health and Human Services and, upon completion of the federal review, the findings of that review, the state's response to the findings, and the details of any program improvement plan entered into by the state.

1 (2) The department's progress in implementing the California
2 child and family service reviews, including, but not limited to, the
3 timelines for implementation, the process to be used, and any
4 funding or staffing increases needed at the state or local level to
5 implement the requirements of this section.

6 (3) The findings and recommendations for child welfare system
7 improvements identified in county self-assessments and county
8 system improvement plans, including information on common
9 statutory, regulatory, or fiscal barriers identified as inhibiting
10 system improvements, any recommendations to overcome those
11 barriers, and, as applicable, information regarding the allocation
12 and use of the moneys provided to counties pursuant to subdivision
13 (i).

14 (4) The impact, if any, of the realignment of child welfare
15 programs and services on child safety and well-being, including,
16 but not limited to, ~~any increase in nonaccidental injuries to children~~
17 ~~receiving medical care, infant mortality, rates of birth of~~
18 ~~low-birthweight infants, rates of birth to mothers who received no~~
19 ~~prenatal care, rates of birth to mothers under 18 years of age, or~~
20 ~~other factors correlated with increased risk of child abuse or neglect~~
21 *outcome indicators determined by the workgroup.*

22 (g) Effective April 1, 2003, the existing county compliance
23 review system shall be suspended to provide to the State
24 Department of Social Services sufficient lead time to provide
25 training and technical assistance to counties for the preparation
26 necessary to transition to the new child and family service review
27 system.

28 (h) (1) Beginning January 1, 2004, the department shall
29 commence individual child and family service reviews of California
30 counties. County child welfare systems that do not meet the
31 established compliance thresholds for the outcome measures that
32 are reviewed shall receive technical assistance from teams made
33 up of state and peer-county administrators to assist with
34 implementing best practices to improve their performance and
35 make progress toward meeting established levels of compliance.

36 (2) The department shall initiate one or more of the compliance
37 actions authorized by Section 10605 if any county child welfare
38 system, after receiving the technical assistance described in
39 paragraph (1) for a period of at least six months, but not more than

1 one year, does not meet the established compliance threshold for
2 one or more outcome measures.

3 (i) (1) To the extent that funds are appropriated in the annual
4 Budget Act to enable counties to implement approaches to
5 improving their performance on the outcome indicators under this
6 section, the department, in consultation with counties, shall
7 establish a process for allocating the funds to counties.

8 (2) The allocation process shall take into account, at a minimum,
9 the extent to which the proposed funding would be used for
10 activities that are reasonably expected to help the county make
11 progress toward the outcome indicators established pursuant to
12 this section, and the extent to which county funding for the Child
13 ~~Abuse~~, *Abuse* Prevention and Treatment program is aligned with
14 the outcome indicators.

15 (3) To the extent possible, a county shall use funds allocated
16 pursuant to this subdivision in a manner that enables the county
17 to access additional federal, state, and local funds from other
18 available sources. However, a county's ability to receive additional
19 matching funds from these sources shall not be a determining factor
20 in the allocation process established pursuant to this subdivision.

21 (4) The department shall provide information to the appropriate
22 committees of the Legislature on the process established pursuant
23 to this subdivision for allocating funds to counties.